HON'BLE SMT. JUSTICE T. MEENA KUMARI

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HON'BLE SRI JUSTICE K.C. BHANU

Writ Petition No.20085 of 2005

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Dated: 9th November 2005

Between:

T. Prabhakar Rao … Petitioner

And

The Station House Officer, Kothapeta
Police Station, Srikakulam District and
Eight others. … Respondents

Oral Order: (per the Hon'ble Smt. Justice T. Meena Kumari)

1. This writ petition is taken up on the basis of a letter dated 12-8-2005 sent by Sri T. Prabhakar Rao, retired Teacher, Kothapeta, Srikakulam District requesting to take necessary action in the matter concerning the death of one K.V.Sai Prasad, Attender in Junior Civil Judge Court, Kotabommali, Srikakulam District at the hands of the police.

2. According to the petitioner, on 14-7-2005 police constables of Kothapeta P.S. vi., Anand and Roja Kumar took away the deceased from Red Wines to Sridhar Electronics Center Pillars and beat him and a blow on the head lead him unconscious. The incident was witnessed by one

Mr.Appala Naidu, Advocate, Mr.Balasuryam, Attender of the Junior Civil Judge Court, Kotabommali, Mr.Sasi, Journalist of Eenadu Telugu Newspaper and 30 others. He further mentioned in the petition that the victim's mother took her son to the Government Hospital, Srikakulam for treatment and as the condition of the victim did not improve even after two days, the doctors advised to shift the patient to K.G.H.Hospital, Visakhapatnam and the victim while taking treatment at K.G.H.Hospital died on 23-7-2005. The petitioner further mentioned that on 29-8-2005 the matter was reported in the Eenadu Telugu Daily reporting that the said Sai Prasad died due to Malaria, which is false, concocted and created by the police, press, local M.R.O. and the District Collector. He therefore sent the letter requesting to take necessary action and to bring into light the truth behind his death.

3. The record shows that on 17-10-2005 an interim direction was given to the first respondent to treat the letter dated 12-8-2005 addressed to the Hon'ble the Chief Justice by the petitioner as the complaint. The learned Government Pleader submitted that in pursuance of the interim directions of this Court, the body of the deceased K.V. Sai Prasad was exhumed and a complaint was also registered and F.I.R.No.101 of 2005 on the file of Kothapeta P.S., Srikakulam District has been issued and investigation is going on. In view of the submissions made by the learned Government Pleader that the complaint has been registered and investigation is going on, the matter needs no interference by this Court for the present. Accordingly, the writ petition is closed.

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(Smt.T. Meena Kumari, J)

(K.C. Bhanu, J)

9th November 2005.

svs